

MINUTES
AGENDA NO. 21
WEST HARTFORD TOWN COUNCIL
TUESDAY, NOVEMBER 13, 2018, 7:30 P.M.
LEGISLATIVE CHAMBER, TOWN HALL
2017-2019 TERM

1. MEETING CALLED TO ORDER 7:51 PM
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL ALL PRESENT
4. APPROVAL OF MINUTES

Councilor Kerrigan moved and Councilor Davidoff seconded to approve the Town Council Minutes on 10-23-2018; and Public Hearing Minutes re: 643 Prospect Avenue 9-25-2018. Approved, 9-0.

5. PUBLIC FORUM Judy Allen spoke in regard to item 12.
6. CONSIDERATION OF CONSENT CALENDAR

Councilor Kerrigan moved and seconded by Councilor Davidoff to adopt Items #16 - #19.

7. UNFINISHED BUSINESS

8. Application by JDC Farmington LLC, contract purchaser of 1027 Farmington Avenue, requesting a change of the underlying zone for 0.3 acres at the southwest corner of the intersection of Woodrow Street and Farmington Avenue from RM-3R (Multifamily Restricted Residential) to RO (Residential Office) and Special Development District (SDD) designation to reuse the existing building for professional office use. (20185). **(This agenda item will be the subject of a public hearing on November 13, 2018 and may not be addressed during Public Forum pursuant to Town Council Rules.)**

Councilors Barnes, Cantor, Davidoff, Fay, Dodge, Kerrigan, Alternate McCarthy, Sweeney, and Wenograd voted yes.

APPLICATION APPROVED: YES – 9; NO – 0; ABSTAIN – 0

9. Application on Behalf of Delamar West Hartford, LLC seeking reapproval of an amendment to Special Development District #140 located at 1 Memorial Road and known as Delamar. On May 22, 2018, the Town Council approved an amendment for changes to the architecture and landscaping to permit the elimination of an architectural rooftop mechanical screen; the elimination of decorative trees; and the addition of a seasonal vestibule enclosure for the Artisan restaurant, all associated with the Delamar Hotel. The approved plans were not filed within the required timeframe and the approval became null and void. Since no changes to the previous approval are proposed, the Applicant requests of waiver of the required fees. (891) **(This agenda item will be the subject of a public hearing on November 13, 2018 and may not be addressed during Public Forum pursuant to Town Council Rules.)**

Councilors Cantor, Davidoff, Dodge, Kerrigan, Alternate McCarthy, Sweeney, and Wenograd voted yes. Councilors Barnes and Fay voted no.

APPLICATION APPROVED WITH CONDITIONS: YES – 7; NO – 2; ABSTAIN – 0

FEE WAIVER REQUESTED BY THIS APPLICANT WAS APPROVED.

YES – 9; NO – 0; ABSTAIN – 0

**SDD #140-RI-18
1 Memorial Road
CONDITIONS OF APPROVAL**

1. Approval of Application

The West Hartford Town Council hereby finds that the proposed plan, as approved, will be:

- (a) In harmony with the overall objective of the Comprehensive Plan, as defined in Article I of the Code of the Town of West Hartford, Chapter 177, entitled "Zoning."
- (b) Superior to a plan possible under the West Hartford's zoning ordinances regular standards.
- (c) In harmony with the actual or permitted development of adjacent properties.

The application is hereby APPROVED, subject, to the "Conditions of Approval" set forth below.

2. Conditions of Approval

A. Official Plans

Implicit in the approval of the Special Development District is the condition that the applicant shall only use the premises in accordance with the official application materials, plans and associated exhibits related to the application as supplemented or modified by any amended plans and documents or representations submitted during the public hearing process. Any other use shall require the express approval of the Town Council in accordance with the Zoning Ordinances of the Town of West Hartford.

B. Premises Contact

The Applicant shall provide the Town Planner, from time to time, as necessary, with the name (or title) of a person and a telephone number where that person can be reached or where messages for that person may be left, to act as a liaison between the Town and the Applicant. The identity of the party and the telephone number may be changed from time to time by notice to the Town Planner. If different individuals should be contacted regarding different aspects of operations within the area of the Special Development District, multiple contact people should be designated as necessary. This information shall also be provided to any adjoining property owner requesting same.

C. Solid Waste-Operational Condition

Notwithstanding the provisions of Code of the Town of West Hartford §94-5 and as proposed by the applicant, solid waste collection shall be the responsibility of the developer/condominium association.

Solid waste may be collected within the Special Development District between 10:00 a.m. and 3:00 p.m. on weekdays.

D. Special Site Use or Operational Requirements

1. Maintenance Plan

Prior to the filing of the Special Development District on the Land Records, the Applicant shall submit for the Town Manager's or his designee's review and approval, a yearly maintenance plan for the Special Development District. Said plan shall designate the individuals responsible for establishing maintenance objectives and an ongoing schedule of maintenance activities to ensure the aesthetic quality and cleanliness of the site. The maintenance plan shall include, but not be limited to, a timetable for all required installation and maintenance activities with respect to plantings, landscaping and screening, sidewalks, lighting, signage, storage, refuse and litter control, building exteriors and other site amenities proposed in the plans. The maintenance plan shall also contain provisions dealing with snow removal from those pedestrian walkways for which the Applicant is responsible. Specifically, the snow removal plan shall call for the removal from required walkways of all snow or ice deposits so as to render those walkways safe for pedestrian passage at all times. Accumulated snow that is stored on-site shall not encroach into or damage required landscaped areas, parking spaces or vehicular travel-ways.

2. Landscaping and Fencing

Applicant will maintain all landscaped areas including mowing, weeding and brush removal and be responsible for replacement of plantings where necessary.

3. Site Lighting

All outdoor lighting shall be down-shielded to prevent glare onto adjoining properties.

E. Utilities to be underground

Any and all new cable, electrical, telephone, telecommunications, and other utility services shall be placed underground.

F. Computer Media Information

All mapping and construction plans shall be prepared in electronic format using the Connecticut Geodetic System for inclusion into West Hartford's Geographical Information System ("GIS").

G. Final Plan Review

Implicit in the SDD approval is the requirement that the record plans and exhibits establish the minimum standard of design and improvement for this project. As specific drawings for the project are prepared, refined and detailed, the filed SDD plans and exhibits shall serve to identify the major standards for the quality of design and improvements. The Town Planner in cooperation with West Hartford staff, including but not limited to the Fire and the Community Services Departments, shall coordinate the final review and approval of the project design to insure compatibility and consistency with the Special Development District Plans approved by the Town Council. West Hartford will not issue a building permit and construction shall

not begin until all appropriate West Hartford Departments have reviewed and approved the plans as submitted to West Hartford.

H. Visual Clutter

The application is approved subject to the condition that the ladders and other "visual clutter" on the east side of the cooling tower shall be removed. Covers shall be installed to screen the two fans on the east side of the cooling tower. Additionally, the cooling tower shall be painted to match the roof color.

I. Final Plans

Final plan submissions and supporting documents shall address the Town Council conditions of approval.

NEW BUSINESS

10. Application on behalf of LEX-LAZ West Hartford, LLC, to amend Special Development District #145 to redevelop the site at 27 Park and 14 Ringgold Street to construct a new building and renovate portions of the existing buildings, along with associated parking, site amenities, grading, drainage, and landscape improvements to accommodate 294 new apartments and maintain the existing 36 residential units for the Sisters of Saint Joseph. (20151)

(This agenda item will be the subject of a formal public hearing and may not be addressed during Public Forum pursuant to Town Council Rules.)

SET FOR PUBLIC HEARING ON JANUARY 8, 2019 AT 6:45 PM IN THE LEGISLATIVE CHAMBER AND REFERRED TO TPZ, DRAC, & CRCOG.

11. Resolution to Appropriate a \$20,000 Donation from the Friends of Fernridge Park for the Purpose of Park Improvements. (99)

Councilor Kerrigan moved and seconded by Council Davidoff to adopt.

ADOPTED, 9-0

WHEREAS, Friends of Fernridge Park (Friends) is a non-profit organization whose mission is to work in partnership with the Town of West Hartford to maintain and enhance the natural beauty and recreational use of Fernridge Park in a way that benefits current and future generations of West Hartford residents, and

WHEREAS, the Friends, with input from the community and the assistance of a landscape architect, have developed a comprehensive park plan which lays out a longterm vision for Fernridge Park to guide future public and private investments in the park, and

WHEREAS, the centerpiece of the plan is a promenade lined with trees and benches to create a gathering place for park visitors to meet, stroll and play, and

WHEREAS, the first phase of creating the promenade is to build new paths within the park and reconstruct existing ones, and

WHEREAS, the Friends have donated \$20,000 to the Town for this purpose,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WEST HARTFORD that the Town offers sincere appreciation to Friends of Fernridge Park for their hard work on this long-term plan and accepts this generous donation on behalf of the residents of West Hartford, and

BE IT FURTHER RESOLVED that the fiscal year 2018-2019 budget of the Capital Projects Fund is hereby amended as follows:

Increase Estimated Revenue

41-831942-80004-9340	Contributions	\$20,000
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Increase Appropriations

41-831942-80004-3037	Site Work	\$20,000
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12. REPORTS OF TOWN MANAGER

Town Manager Matthew W. Hart submitted Staff Response to Council Questions re 10-23-2018 MDC Presentation.

REFERRED TO COMMUNITY PLANNING & PHYSICAL SERVICES COMMITTEE.

13. ANNOUNCEMENTS

Upcoming events were reported by Mayor Cantor.

14. REPORTS OF CORPORATION COUNSEL an Executive Session is required to discuss

15. APPOINTMENTS NONE

REPORTS OF STANDING OR SPECIAL COMMITTEES

16. From Town Plan and Zoning RECENT PLANNING ACTION – 847 South Quaker Lane. (780)
RECEIVED

17. Minutes from Finance and Budget Committee 10-23-2018. RECEIVED

18. Minutes from Public Safety Committee 11-01-2018. RECEIVED

19. Minutes from Admin Tech Committee 11-05-2018. RECEIVED

20. CONSENT CALENDAR ADOPTED

21. COMMUNICATIONS NONE

22. PETITIONS NONE

23. EXECUTIVE SESSION At 8:46 pm Councilor Kerrigan moved to convene into Executive Session for the purpose of discussing pending claims or pending litigation. Specifically, to consider an action to enforce or implement legal relief or a legal right.

Present to discuss the matter: Mayor Cantor, Council Members Barnes, Davidoff, Dodge, Fay, Kerrigan, Sweeney, Wenograd, and Williams; Asst. Corp. Counsel Newsom; Town Manager Matthew W. Hart; Helen Rubino-Turco; Peter Privitera, Attorney Sconzo; Attorney Jeffrey Williams, and Attorney Jon Sterling from the firm of Carlton Fields.

At 9:35, on motion of Councilor Kerrigan and seconded by Councilor Davidoff it was voted to reconvene into Public Session.

24. ADJOURNMENT

Mayor Cantor moved and Councilor Kerrigan seconded to adjourn the meeting at 9:36 p.m.

Essie S. Labrot

Essie S. Labrot
Town Clerk/Council Clerk

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